

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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Index # 14 CV 4411

Claude Galland; Violaine Galland; Paristudios.

OPEN LETTER TO THE COURT

VS

James Johnston; Judith Johnston;

Stephen Bowden; Terri Bowden.

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RECEIVED
SDNY PRO SE OFFICE
2016 JUL 21 AM 10:30
S.D. OF N.Y.

This is addressing a letter from the Court dated July 5th

Subject

This court sends a subtle but an unequivocal message, to wit: should my hearing impairment not improve the instant case is dismissed "*for lack of communication*".

Objection

I have reiterated to the Court the specificity and selectivity of impairment of my hearing loss and as a result **ceased using phones** in all of my business, along all personal, family and private matters. Therefore contrary to the Court letter, there is no need to wait for an improvement that will never materialize.

Notwithstanding my selective impairment,

This Court will note that I am actively leading a normal life and more relevant to this Court I tolerated "communications" with an array of Judges and opposition attorneys for the past 6 months. I appeared for a final oral argument to enforce a stipulation signed by Judge Lebovits in 2008 for \$3.500.000.00 and stood in open court to argue why the "So Ordered" stipulation must be enforced against a defendant, that oral argument was two days ago in New York city, this past Tuesday July 19, 2016. Therefore it is undisputable that I am able to sustain a cogent "communication" with defendants attorneys and Judges facing me, as it is commonly done in small claim, Civil Court and Superior Courts, in face-to-face Courtrooms.

Except this Court.

The "phone" appearances and "phone" EBT does not work for me, yet allows the defendants to proceed from the comfort of their home, and sends the wrong message the Federal Court will minimize defendants travel, legal burdens at the expenses of the plaintiff's rights. The Court will also note that I offered to settle at the lowest nominal sum of \$5,000 dollars less that the cost of coming one day to New York due to their modest means.

The daughter laughed at me.

But to follow this logic to its conclusion, this court allows the defendants to appear over the phone from the comfort of their couch for free, they fired their attorney after one appearance and substituted their daughter for free. As a result they have less burden of an ordinary citizen sued in small claim who must take the subway to appear in Court, this is a free ride with no economic incentive to settle, nor do they plan to bother with a Trial, they bombarded me with an avalanche of the most extreme discovery demands to bring me to my knees and capitulate.

The daughter who I have evidence is part of the scam, had the gall to ask me to fly to Oregon to uphold my rights of discovery. This is type of absurdity this court is allowing because of the bias against plaintiffs. (So unfair, so common it has been normalized.) It is for that reason that across the US every plaintiff pro se perceives to be persona non grata and is not the fault of these citizen, it is the fault of the Federal Courts.

In sum:

My contract was breached. I have the right to be made whole.

My prima facie case survived the dismissal. I have a witness.

I produced the witness.

The Co-defendants settled.

The defendants can conduct discovery on my witness, I will pay any travel expense to get this witness back to New York, but otherwise, except for further defendants' dilatory tactics from the comfort of their couch, I am ready to bring the Johnstons to Trial.

This Court notifies me by subtle insinuation that "unless" my impairment "improves" to allow resumption over the "phone" my meritorious case shall be dismissed, I stand dumbfounded, assuredly you understand.

Claude Galland

A handwritten signature in black ink, appearing to be 'Claude Galland', written over the typed name.